



# Arizona Department of Gaming

TRIBAL GAMING • RACING • BOXING & MIXED MARTIAL ARTS

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## AMENDED AGENDA

Pursuant to A.R.S. § 38-431.03(A)(3), the Commission may vote to go into Executive Session for the purpose of obtaining legal advice from its attorney on any matter listed on the agenda. Any such Executive Session will not be open to the public.

### **A. Call to Order of the 651<sup>st</sup> Regular Arizona Racing Commission Meeting at 10:00 AM.**

#### **Commissioners Present:**

**Chair Thomas Lawless**  
**Commissioner Rory Goreé**  
**Commissioner David Heiple**  
**Commissioner Jay McClintock**

#### **Also present:**

**Rudy Casillas, Racing Division Director**  
**Deanie Reh, Assistant Attorney General**  
**Greg Stiles, Division of Racing**  
**Cassie Goodwin, Commission Secretary**  
**Camila Alarcon, Commission Attorney (Item B only)**

### **B. Executive Session**

The following item is for Executive Session purposes only:

*Simms v. Arizona Racing Commission, et al.*, Case No. LC2016-000505, Ronald A. Simms' Appeal to the Maricopa County Superior Court of the Arizona Racing Commission's Order to Reject the Gaming Director's Ruling to Grant a Racing License to Ronald A. Simms, Case No. 14A-020-RAC. The Commission may vote to go into Executive Session under A.R.S. § 38-431.03(A)(3) in order to discuss or consult for legal advice with its attorneys.

**Chair Lawless advised the Commission would be going into executive session at the end of the meeting. Commissioner Goreé moved to go into executive session for legal advice. Commissioner Heiple second. Motion carried. (Ayes: Goreé, Heiple, Lawless, McClintock.)**

**Open Session recessed at 10:40 AM.**

**Open Session reconvened at 10:49 AM.**

### **C. New Business**

The following New Business items are for a status report, presentation, discussion, and possible action for the Commission.

1. Cochise County Fair Association's Request to Amend FY2017 Race Dates  
Cancel Race Dates of April 22 & 23, 2017 at Cochise County Fair Grounds, Douglas, Arizona

**Greg Stiles addressed the Commission.**

**Commissioner McClintock moved to approve Cochise County Fair Association's request to cancel its live race dates of April 22 and 23, 2017. Commissioner Goreé second. Motion carried. (Ayes: Goreé, Heiple, Lawless, McClintock.)**

2. Amendment to A.A.C. R19-2-205(B) – Regulatory Wagering Assessment

**Director Rudy Casillas addressed the Commission providing a summary of the Division's decision for requesting the amendment to the Regulatory Wagering Assessment and going over the handout provided to the Commissioners.**

**Bas Aja addressed the Commission on behalf of the HBPA.**

**Commissioner McClintock moved to approve an amendment to the RWA as 0.75% beginning May 1, 2017 through September 30, 2017 and then at 0.85% from October 1, 2017 through April 30, 2018. These calculations would apply for the same months in the 2018-2019 race meets, too. Commissioner Heiple second. After much discussion, the Commission unanimously approved the adjustments and the motion carried. (Ayes: Goreé, Heiple, Lawless, McClintock.)**

**Lloyd Yother, President of the HBPA, addressed the Commission via telephone. He expressed concerns over the effect the adjustment will have on the horsemen and asked that the Commission continue to look for different ways to fund the RWA without taking money from the horsemen.**

### **D. Information Reports**

1. Turf Safety Report (Greg Stiles) – **Greg Stiles addressed the Commission.**
2. Rillito Safety Report (Greg Stiles) – **Greg Stiles addressed the Commission.**
3. Legislative Update (Aiden Fleming) – **Aiden Fleming addressed the Commission.**
4. Permittee Reports – **Not to exceed 3 minutes**
  - a. American Greyhound Racing – **No Report.**
  - b. County Fairs – **No Report.**
  - c. Rillito – **No Report.**
  - d. Turf Paradise – **No Report.**
  - e. Tucson Greyhound Park – **No Report.**
5. Optional Industry Stakeholder Association Updates (limited to officers or officially designated spokesman) – Not to exceed 3 minutes
  - a. Arizona Counties Racing Association – **No Report.**

- b. Arizona Greyhound Association – **No Report.**
- c. Arizona Quarter Horse Racing Association – **No Report.**
- d. Arizona Thoroughbred Breeders Association – **No Report.**
- e. Horsemen’s Benevolent & Protective Association – **No Report.**
- f. Jockey’s Guild – **No Report.**

**E. Commission Reports**

- 1. Summary of Current Events Affecting the Arizona Racing Commission. A.R.S. § 38-431.02(K) – Only Commission Members or the Director may report. No discussion or action may be taken on matters reported unless properly noticed for legal action or discussion. . – **No summaries provided.**
- 2. Identification of Matters to be placed on future agendas. – **None at this time.**

**F. Call to the Public**

Those members of the public wishing to address the Commission must sign the signup sheet and be recognized by the Chair. Time permitting; each presentation will be given approximately two minutes. Action taken as a result of public comment will be limited to directing staff to study the matter or re-schedule the matter for further consideration at a later date.

**Kevin Eikleberry addressed the Commission regarding the RWA.  
Steven Nolan addressed the Commission regarding the RWA.**

**Announcements**

The next regular Arizona Racing Commission meeting is tentatively scheduled to be held on **Thursday, April 13, 2017, at 10:00 a.m.** in the Building Conference Room 250, 2<sup>nd</sup> Floor, located at 1110 West Washington St., Phoenix, Arizona. This is subject to change based on a quorum. Please remember to check the Racing Division’s website or contact Cassie Goodwin at 602-771-4263 for confirmation.

**Adjournment at 10:49 AM.**